



draft 56396

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

July 26, 82

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer To: 3HW12

Mr. Edward J. Edwards, Executive Director
Berks County Industrial Development Authority
645 Penn Street
Reading, PA 19601

Re: The Cryochem, Inc. Facility

Dear Mr. Edwards:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. Section 9604(e), your company is requested to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its officers, employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), particularly hazardous substances which were transported to, or stored, or disposed of at the property currently leased by Cryochem, Inc. on State Route 562, Boyertown, Pennsylvania (as depicted on the enclosed "Location Map").

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

The response should include, but not be limited to, information and documentation concerning:

1. your company's years of ownership and/or operation of the Cryochem, Inc. facility (Site);
2. type of operations on the Site;
3. areas of the Site utilized;
4. manufacturing and treatment processes employed;

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5. chemical substances used;
6. type of wastes generated by the Site;
7. type of wastes known to be disposed of at the Site;
8. type and quantity of hazardous substances transported to and from the Site;
9. information related to the surface water and ground water contamination at the Site;
10. a description of any permits or applications to any hazardous waste permitting authority;
11. any correspondence between you and any regulatory agencies regarding the generation, transportation or disposal of hazardous substances or wastes to or from the Site;
12. any correspondence between you and any third party regarding such substances or wastes and;
13. the identity of, and documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such wastes or substances (to or from) the Site.

In addition, please provide a copy of the Project Agreement between Cryochem, Inc., Claude W. Garber, Russel E. Garber, Kathryn N. Reigner, and Berks County Development Authority which was dated July 14, 1982. This Project Agreement is referenced in an Assignment which was recorded in the Berks County Recorder of Deed's office on July 14, 1982 in Book 389, page 250.

In addition to the above information, if your company is privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all insurance policies.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures,

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reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

It is EPA's position that failure to comply with this request within the specified time period is a violation of Federal law which may result in civil enforcement action. In order to mitigate the extent of any enforcement actions which might be forthcoming in this matter, you are encouraged to comply in full with the information request in the time frame specified above.

Please send the required information to:

Ms. Humane Zia, Compliance Officer
U.S. Environmental Protection Agency, Region III
CERCLA Remedial Enforcement Section (3HW12)
841 Chestnut Building, 6th Floor
Philadelphia, PA 19107

If you have any questions concerning this matter, please contact Humane Zia at (215) 597-8214 or William C. Early, Office of Regional Counsel at (215) 597-7265.

Sincerely,



Bruce P. Smith, Chief
Hazardous Waste
Enforcement Branch

Enclosure: Location Map

cc: Donald A. Lazarchik, P.E.
Director
Pennsylvania Department of Environmental Resources
Bureau of Solid Waste Management

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P 681 410 043

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	MR. EDWARD EDWARDS	
Street and No.	645 PENN ST	
P.O., State and ZIP Code	READING, PA 19601	
Postage		\$
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to whom and Date Delivered		
Return receipt showing to whom, Date, and Address of Delivery		
TOTAL Postage and Fees		\$
Postmark or Date	AR200009	

★ U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

PS Form 3811, July 1983 447-845

DOMESTIC RETURN RECEIPT

SENDER: Complete items 1, 2, 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.	
1. <input checked="" type="checkbox"/> Show to whom, date and address of delivery.	
2. <input type="checkbox"/> Restricted Delivery.	
3. Article Addressed to: MR. EDWARD J EDWARDS BERKS COUNTY INDUSTRIAL REVT. AUTHORITY GHS PENN ST READING, PA 19601	
4. Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	Article Number Insured COD
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X	
6. Signature - Agent X Sharon Brothman	
7. Date of Delivery 7/29/86	
8. Addressee's Address (ONLY if requested and fee paid) 3HWB Same as above	